

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 551**

Introduced by Jensen, 20

Read first time January 18, 2005

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Nebraska Behavioral Health Services Act;  
2 to amend sections 71-813, 71-815, 71-816, and 71-818,  
3 Revised Statutes Supplement, 2004; to change provisions  
4 relating to membership on a council, a commission, and  
5 advisory committees; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 71-813, Revised Statutes Supplement,  
2   2004, is amended to read:

3                   71-813. (1) The State Behavioral Health Council is  
4   created. The council shall consist of (a) ten members of the State  
5   Advisory Committee on Mental Health Services, (b) ten members of  
6   the State Advisory Committee on Substance Abuse Services, and (c)  
7   ten members of the State Advisory Committee on Problem Gambling and  
8   Addiction Services as appointed pursuant to sections 71-814 to  
9   71-816. The Governor shall appoint three members from each such  
10   committee to serve on the council and each committee shall select  
11   seven of its members to serve on the council. At least two members  
12   from each committee shall be consumers.

13                  (2) Members of the council and such committees shall be  
14   appointed for staggered terms of three years and until their  
15   successors are appointed and qualified. Vacancies for any  
16   unexpired term shall be filled in the same manner as provided for  
17   the original appointment. Members shall serve without compensation  
18   but shall be reimbursed for their actual and necessary expenses as  
19   provided in sections 81-1174 to 81-1177. The council and each such  
20   committee shall annually elect a chairperson and other officers  
21   from among its members. No officer shall serve more than three  
22   consecutive one-year terms in any one office.

23                  (3) The council shall be responsible to the division and  
24   shall (a) conduct regular meetings, (b) provide advice and  
25   assistance to the division relating to the provision of behavioral  
26   health services in the State of Nebraska, (c) promote the interests  
27   of consumers of behavioral health services and their families, and  
28   (d) report annually to the Governor and the Legislature.

1                   Sec. 2.     Section 71-815, Revised Statutes Supplement,  
2     2004, is amended to read:

3                   71-815.     (1)   The State Advisory Committee on Substance  
4     Abuse Services is created. Members of the committee shall have a  
5     demonstrated interest and commitment and specialized knowledge,  
6     experience, or expertise relating to the provision of substance  
7     abuse services in the State of Nebraska. The committee shall  
8     consist of twelve members appointed by the Governor and shall  
9     include at least three consumers of substance abuse services.

10                  (2)   The committee shall be responsible to the State  
11     Behavioral Health Council and shall (a) conduct regular meetings,  
12     (b) provide advice and assistance to the council and the division  
13     relating to the provision of substance abuse services in the State  
14     of Nebraska, (c) promote the interests of consumers and their  
15     families, (d) provide reports as requested by the council or the  
16     division, and (e) engage in such other activities as directed or  
17     authorized by the council.

18                  Sec. 3.     Section 71-816, Revised Statutes Supplement,  
19     2004, is amended to read:

20                  71-816.     (1)   The State Advisory Committee on Problem  
21     Gambling and Addiction Services is created. Members of the  
22     committee shall have a demonstrated interest and commitment and  
23     specialized knowledge, experience, or expertise relating to the  
24     provision of problem gambling and addiction services in the State  
25     of Nebraska. The committee shall consist of twelve members  
26     appointed by the Governor and shall include at least three  
27     consumers of problem gambling or addiction services.

28                  (2)   The committee shall be responsible to the State

1 Behavioral Health Council and shall (a) conduct regular meetings,  
2 (b) provide advice and assistance to the council and the division  
3 relating to the provision of problem gambling and addiction  
4 services in the State of Nebraska, (c) evaluate applications for  
5 funding from the Compulsive Gamblers Assistance Fund and make  
6 recommendations relating to disbursements from the fund, (d)  
7 promote the interests of consumers and their families, (e) provide  
8 reports as requested by the council or the division, and (f) engage  
9 in such other activities as directed or authorized by the council.

10 Sec. 4. Section 71-818, Revised Statutes Supplement,  
11 2004, is amended to read:

12 71-818. (1) The Behavioral Health Oversight Commission  
13 of the Legislature is created. The commission shall consist of not  
14 more than ~~twenty~~ twenty-five members appointed by the chairperson  
15 of the Health and Human Services Committee of the Legislature and  
16 confirmed by a majority of members of the committee. Members of  
17 the commission shall (a) include, but not be limited to,  
18 representatives of the Legislature, consumers and consumer advocacy  
19 organizations, behavioral health providers, the communities of  
20 Norfolk and Hastings, state employees, regional behavioral health  
21 authorities, mental health boards, and law enforcement, (b) possess  
22 a demonstrated interest and commitment and specialized knowledge,  
23 experience, or expertise relating to the provision of behavioral  
24 health services in the State of Nebraska, and (c) be broadly  
25 representative of all the behavioral health regions. Members of  
26 the commission shall serve without compensation but shall be  
27 reimbursed from the Nebraska Health Care Cash Fund for their actual  
28 and necessary expenses as provided in sections 81-1174 to 81-1177.

1           (2) The commission, under the direction of and in  
2 consultation with the Health and Human Services Committee of the  
3 Legislature, shall oversee and support implementation of the  
4 Nebraska Behavioral Health Services Act and shall administer such  
5 funds as appropriated by the Legislature from the Nebraska Health  
6 Care Cash Fund for such purpose. The commission may employ staff,  
7 enter into contracts, establish and utilize task forces and  
8 subcommittees, and perform such other activities as necessary and  
9 appropriate to carry out its duties under this section.

10           (3) The commission and this section terminate on June 30,  
11 2008.

12           Sec. 5. Original sections 71-813, 71-815, 71-816, and  
13 71-818, Revised Statutes Supplement, 2004, are repealed.